STATUS OF THE CLAIMS

1-31. (cancelled).

32. (previously presented) A cell culture exhibiting cell-type specific or development-specific expression of a non-cell damaging fluorescent protein comprising embryoid bodies formed by aggregates of embryonic stem cells stably transfected with a DNA construct comprising:

a) a DNA sequence coding for said non-cell damaging fluorescent protein; and

b) a promoter operably linked to said DNA sequence, said promoter selected from the group consisting of a cell-type dependent promoter, a development-dependent promoter and combinations thereof, wherein said promoter is substantially inactive in undifferentiated embryonic stem cells.

33. (previously presented) The cell culture of claim 32, wherein said stem cells are mouse stem cells.

34. (previously presented) The cell culture of claim 32, wherein said aggregates are obtained by the hanging drop method.

35. (previously presented) The cell culture of Claim 32, wherein said non-cell damaging fluorescent protein is selected from the group consisting of Green Fluorescent Protein, Red Fluorescent Protein, and Blue Fluorescent Protein.

36. (previously presented) The cell culture of claim 32, wherein said promoter is a promoter specific for heart cells, neurons, glia cells, hematopoietic cells, endothelial cells, smooth muscle cells, skeletal muscle cells, cartilage cells, fibroblasts and epithelial cells.

37. (previously presented) The cell culture of claim 32, wherein said promoter is selected from Nkx-2.5, human alpha-actin, and MLC-2V promoters.

38. (previously presented) The cell culture of claim 32, wherein said promoter is the heart-specific human alpha-actin promoter.

39. (previously presented) The cell culture according to claim 32, wherein said DNA construct comprises further functional elements.

40. (previously presented) The cell culture according to claim 39, wherein said further functional DNA elements are selected from the group consisting of enhancer elements, selectable marker genes, or combinations thereof.

41. (presently amended) The cell culture of according to claim 32, wherein said DNA construct is the plasmid pCX-(a~~c~~α-act)GFP-Neo (DSM 11633).

42-53. (cancelled).

54. (New) A cell culture exhibiting cell-type specific or development-specific expression of a non-cell damaging fluorescent protein comprising embryoid bodies formed by aggregates of embryonic stem cells stably transfected with a DNA construct comprising:

a) a DNA sequence coding for said non-cell damaging fluorescent protein; and

b) a promoter operably linked to said DNA sequence, said promoter selected from the group consisting of a cell-type dependent promoter, a development-dependent promoter and combinations thereof, wherein said promoter is activated after differentiation of the stem cells.

55. (new) The cell culture of claim 54, wherein said stem cells are mouse stem cells.

56. (new) The cell culture of claim 54, wherein said aggregates are obtained by the hanging drop method.

57. (new) The cell culture of Claim 54, wherein said non-cell damaging fluorescent protein is selected from the group consisting of Green Fluorescent Protein, Red Fluorescent Protein, and Blue Fluorescent Protein.

58. (new) The cell culture of claim 54, wherein said promoter is a promoter specific for heart cells, neurons, glia cells, hematopoietic cells, endothelial cells, smooth muscle cells, skeletal muscle cells, cartilage cells, fibroblasts and epithelial cells.

59. (new) The cell culture of claim 54, wherein said promoter is selected from Nkx-2.5, human alpha-actin, and MLC-2V promoters.

60. (new) The cell culture of claim 54, wherein said promoter is the heart-specific human alpha-actin promoter.

61. (new) The cell culture according to claim 54, wherein said DNA construct comprises further functional elements.

62. (new) The cell culture according to claim 61, wherein said further functional DNA elements are selected from the group consisting of enhancer elements, selectable marker genes, or combinations thereof.

63. (new) The cell culture of according to claim 54, wherein said DNA construct is the plasmid pCX-(α-act)GFP-Neo (DSM 11633).